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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Criminal No. 3-10-70187-EMC
)	
Plaintiff,)	
)	
v.)	PROPOSED ORDER AND
)	STIPULATION EXCLUDING TIME
CARLOS RAMOS-PINEDO,)	FROM MARCH 26 2010, TO APRIL 16,
)	2010
)	
Defendant.)	
)	

The parties appeared before the Honorable Joseph C. Spero on March 26, 2010. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to a waiver of time for indictment under Federal Rule of Criminal Procedure 5.1(d) and to an exclusion of time for indictment under the Speedy Trial Act, 18 U.S.C. § 3161(b), from March 26, 2010 to April 16, 2010, in light of the need for the defendant to consider a pre-indictment plea offer. The Government has provided defense counsel with a pre-indictment plea offer and discovery and defense counsel and the defendant needs additional time to meaningfully consider the pre-indictment offer. Failure to grant the requested Speedy Trial continuance would unreasonably deny defense counsel reasonable time necessary for

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effective preparation, taking into account the exercise of due diligence and the need for counsel to obtain and review the discovery, specifically the record of conviction, with the defendant.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from March 26, 2010 to April 16, 2010 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. Also given these circumstances, the Court found that good cause exists under Federal Rule of Criminal Procedure 5.1(d) to extend the time limit for indictment.

4. Accordingly, and with the consent of the defendant, the Court ordered that the period from March 26, 2010, to April 16, 2010, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(b), (h)(7)(A), and (B)(iv) and that good cause exists to excuse the time limitations for indictment under Federal Rule of Criminal Procedure 5.1(c) and (d).

IT IS SO STIPULATED.

DATED: March 26, 2010

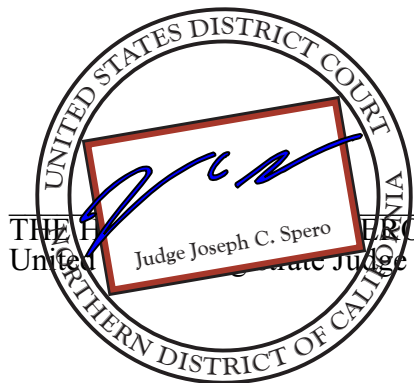
/s/
STEVEN KALAR
Assistant Federal Public Defender

DATED: March 26, 2010

/s/
PATRICIA SPALETTA
Special Assistant United States Attorney

IT IS SO ORDERED.

DATED: 03/29/2010



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